DRAWINGS AND INFORMATION DISCLOSURE STATEMENTS

Applicants express appreciation for acknowledgement of the drawings filed July 25, 2003, and consideration of the Information Disclosure Statements filed July 25, 2003, and November 20, 2003, by including an initialed copy of the Forms PTO-1449 submitted therewith.

RESTRICTION REQUIREMENT

The Restriction Requirement states that the Examiner has determined that two distinct inventions are contained in this application, namely:

I Claims 113-122, drawn to a method of attaching monomers at specific reaction sites, classified in class 422, subclass 131.

II Claims 123-142, drawn to an apparatus for projecting or generating one or more wavelengths of light, classified in class 359, subclass 298.

The Requirement has therefore required that an election be made between these inventions.

ELECTION

In response to the Restriction Requirement, Applicants elect the invention of Group II (claims 123-142), with traverse.

TRAVERSE

Notwithstanding the election of the claims of Group II in order to be responsive to the requirement for restriction, Applicants respectfully traverse the requirement.

Initially, it should be pointed out that the requirement for restriction omits one of the two criteria of a proper requirement as now established by the U.S. Patent and

Trademark Office policy, as set forth in MPEP 803 (Revision 2, July 1996), viz. that "an appropriate explanation" must be advanced by the Examiner as to the existence of "a serious burden" if a restriction were not required. Due to the aforementioned omission, it is respectfully submitted that the requirement for restriction is improper and, consequently, its withdrawal is respectfully requested.

The restriction should also be withdrawn because there is no serious search burden. In MPEP Chapter 800, the Office sets forth its policy by which Examiners are guided in requiring restriction under 35 U.S.C. §121. Section 803 states that "[i]f the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions." MPEP 803 [R-2], page 800-3 (Rev. 2, July 1996).

Although Groups I and II differ in that Group I is directed to a method of attaching monomers at specific reaction sites, and Group II is directed to an apparatus for projecting or generating one or more wavelengths of light, the apparatus of Group II may encompass a component produced by the method of Group I. For example, Group I comprises a method of attaching monomers at specific reaction sites wherein such method comprises irradiating a selected number of isolated reaction sites to produce, in situ, at least one photo-generated reagent should cover areas relevant to the apparatus of Group II for projecting or generating wavelengths of light. Therefore, as a practical matter, a search of Group II may be co-extensive with a search of Group I. Thus, the search burden would not appear to be serious.

Therefore, Applicants respectfully request that the restriction requirement be reconsidered and withdrawn, in view of the lack of a serious search burden.

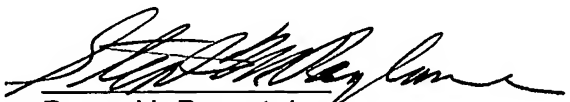
It is also important for the Examiner to understand that Applicants have paid a filing fee for an examination of all the claims in this application. If, however, the Examiner refuses to examine all the claims paid for when filing this application and persists in requiring Applicants to file divisional applications for both groups of claims, the Examiner is essentially forcing Applicants to pay duplicative fees for the non-elected or withdrawn claims.

CONCLUSION

For the reasons discussed above, it is respectfully submitted that the Restriction Requirement is improper and should be withdrawn. Favorable consideration with early allowance of claims 113-142 is most earnestly requested.

If the Examiner has any questions or wishes to discuss this matter, the Examiner is respectfully invited to contact the undersigned a the telephone number listed below.

Respectfully submitted,
Calvin F. QUATE et al.



Bruce H. Bernstein
Reg. No. 29,027

Stephen M. Roylance
Reg. No. 31,296

May 24, 2005
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191